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7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

9

10 UNITED STATES OF AMERICA,) No. CR 09-01168 RMW
11)
12 Plaintiff,) STIPULATION RE REVISED ORDER
13 v.) 18 U.S.C. 4241(d);
14) [] REVISED ORDER
15 JAMES NELSEN,)
16 Defendant.)
17 _____)

18 It is hereby stipulated between the defendant James Nelsen, by and through his attorney of
19 record VICKI H. YOUNG, and the government, through Assistant United States Attorney Jeffrey B.
20 Schenk, that the order of commitment pursuant to 18 U.S.C. 4241(d) filed on April 10, 2012, be
21 withdrawn and the attached revised order be filed in its place. The reason for this substitution is that
22 the U.S. Marshals Office advised that the wording in the filed order would complicate the
23 designation process and proposed some new language to be added to the order.

24 It is so stipulated.

25 Dated: April 16, 2012

Respectfully submitted,

26 

VICKI H. YOUNG, ESQ.
Attorney for James Nelsen

STIPULATION RE REVISED ORDER;
[] ORDER

1 Dated: April 16, 2012
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MELINDA HAAG
UNITED STATES ATTORNEY

4 /s/ Jeffrey B. Schenk
5 JEFFREY B. SCHENK
6 Assistant United States Attorney
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STIPULATION RE REVISED ORDER;
[] ORDER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES OF AMERICA,) No. CR 09-01168 RMW
9 Plaintiff,)
10 v.) REVISED ORDER
11 JAMES NELSEN,)
12 Defendant.)
_____)

14 After a hearing on April 9, 2012, the Court found by a preponderance of the evidence that the
15 Defendant, James Nelsen, is presently suffering from a mental disease or defect rendering him
16 mentally incompetent to stand trial, based on the psychiatric report prepared by Dr. James Missett.

17 Pursuant to 18 U.S.C. § 4241(d), Defendant Nelsen is committed to the custody of the
18 Attorney General. The Attorney General shall hospitalize Defendant for treatment in a suitable
19 facility for such a reasonable period of time, not to exceed four months, as is necessary to determine
20 whether there is such a substantial probability that in the foreseeable future Defendant will attain the
21 capacity to permit the proceedings to go forward. The United States Marshal shall return defendant
22 Nelsen to this court for hearing on July 30, 2012, at 9:00 a.m.

23 || IT IS SO ORDERED.

24 | DATED: '6152134

Ronald M. Whyte
RONALD M. WHYTE
UNITED STATES DISTRICT JUDGE

REVISED ORDER